

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5512

**NOTICE OF RECEIPT
PETITION TO AMEND
THE ENERGY COMMISSION DECISION for the
LOS ESTEROS CRITICAL ENERGY FACILITY PROJECT (03-AFC-2C);
PHASE I SIMPLE-CYCLE**

On March 23, 2006, the Los Esteros Critical Energy Facility, LLC, filed a petition with the California Energy Commission requesting to modify the Los Esteros Critical Energy Facility (simple cycle) Project. The petition was modified on April 7, 2006. The 180-megawatt project was certified by the Energy Commission on July 2, 2002, as 01-AFC-12; in accordance with the Energy Commission Decision, it was recertified under 03-AFC-2 Phase I (simple cycle) on March 16, 2005. The project has been operating since March 7, 2003. The facility is located in the City of San Jose, in Santa Clara County.

DESCRIPTION OF PROPOSED MODIFICATION

The petition requests that the permanent stormwater outfall earthwork be exempt from the requirement to have a Soils Management Plan, and it seeks to change the verification of condition of certification Waste-6.

ENERGY COMMISSION REVIEW PROCEDURES

The purpose of the Energy Commission's review process is to assess the impacts of this proposal on environmental quality, and public health and safety. The review process includes an evaluation of the consistency of the proposed changes with the Energy Commission's Decision and if the project, as changed, will remain in compliance with applicable laws, ordinances, regulations, and standards (Title 20, Calif. Code of Regulations, section 1769). Energy Commission staff is currently analyzing the request and will notify you when the analysis is available. A public hearing for the purpose of approving or denying the petition will subsequently be held at a regularly scheduled Energy Commission business meeting.

This Notice of Receipt is being mailed to interested parties and property owners adjacent to the project site who may want to participate in the amendment process.

The petition is available on the Energy Commission's website at www.energy.ca.gov/sitingcases/losesteros. The staff analysis (when published), and the Energy Commission Order (if approved), will also be posted on the website. If you would like to receive a hard copy of the petition, staff's analysis, and/or the Energy Commission Order if the changes are approved, please complete the enclosed Information Request Form and return it to the address shown.

If you have any comments or questions, please contact Lance Shaw, Compliance Project Manager, at (916) 653-1227, or by fax to (916) 654-3882, or via e-mail at: lshaw@energy.state.ca.us within 14 days of the date of this notice.

Date; April 25, 2006

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For further information on how to participate in this proceeding, please contact Margret J. Kim, the Energy Commission's Public Adviser, at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at pao@energy.state.ca.us. If you require special accommodations, please contact Lourdes Quiroz at (916) 654-5146. News media inquiries should be directed to Assistant Director, Claudia Chandler, at (916) 654-4989, or by e-mail at mediaoffice@energy.state.ca.us.

Date: _____

_____/Signed/

ROGER E. JOHNSON, Manager
Siting and Compliance Office
Systems Assessment & Facilities Siting Division

Enclosure: Information Request Form

Mail List # 7101

Privacy Policy: You will receive only the information requested, and the Energy Commission will make no additional use of your personal information and it will not be provided to any other entity.

INFORMATION REQUEST FORM

COMPLETE & MAIL TO: CALIFORNIA ENERGY COMMISSION
COMPLIANCE UNIT
ATTN: Lance Shaw
1516 NINTH STREET, MS-2000
SACRAMENTO, CA 95814

OR FAX TO: (916) 654-3882

NAME AND/OR TITLE (AS IT IS TO APPEAR ON MAIL LABEL)

ORGANIZATION (IF APPLICABLE)

STREET ADDRESS OR P.O. BOX

CITY

STATE

ZIP CODE

PROPOSED AMENDMENT TO THE COMMISSION DECISION TO EXEMPT THE PERMANENT STORMWATER OUTFALL EARTHWORK FROM THE REQUIREMENT TO HAVE A SOILS MANAGEMENT PLAN, AND CHANGE THE VERIFICATION OF WASTE-6.

PLEASE CIRCLE THE DOCUMENTS YOU WOULD LIKE TO RECEIVE:

- PETITION TO AMEND
- STAFF ANALYSIS
- ENERGY COMMISSION ORDER

PROJECT: Los Esteros Critical Energy Facility

DOCKET NO: 03-AFC-2C, originally licensed as 01-AFC-12C

MAIL LIST NO: 7101